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January 20, 2022

**VIA ECF**

Hon. Jesse M. Furman  
United States District Court  
Southern District of New York  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
Courtroom: 1105  
New York, NY 10007225

**Re: *Contreras v. Smoky Mountain Sportservice, Inc.***  
**Civil Action No.: 1:21-cv-09446-JMF**

Dear Judge Furman:

This office represents Defendant Smoky Mountain Sportservice, Inc., (“Defendant”) in the above-referenced action. We write, with Plaintiff’s consent, to respectfully request (1) a thirty (30) day extension of time for Defendant to respond to the Complaint, up to and including February 23, 2022, and (2) a twenty (20) day extension of the parties’ deadline to submit a joint status letter to the Court, up to and including February 23, 2022. This letter is the first request for an extension of any deadlines in this case.

By way of background, Plaintiff commenced this action on November 15, 2021. (ECF No. 1.) On November 23, 2021, Defendant waived service of the Complaint pursuant to Fed. R. Civ. P. 4. (ECF No. 6.) Accordingly, Defendant’s deadline to respond to the Complaint is presently January 24, 2022. Pursuant to the Court’s Order dated November 16, 2021, the parties are required to submit a joint status letter to the Court on or before February 3, 2022. (ECF No. 5.)

Defendant is requesting an extension of the foregoing deadlines to provide the parties with time to discuss a potential resolution of this case prior to expending resources on litigation activities. The parties have exchanged settlement proposals, and Defendant wishes to continue to focus its resources on these discussions in the near term.



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This office has communicated with counsel for Plaintiff, and Plaintiff consents to this request. This application is being made in good faith and not to cause undue delay, and it will not affect any other scheduled dates as there are no other deadlines or conferences set in this action.

We thank the Court in advance for its time and attention to this matter.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

John W. Egan

cc: All counsel of record

Application GRANTED. The Clerk of Court is directed to terminate ECF No. 9.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', written over the text 'January 21, 2022'.

January 21, 2022